

WHEELER BROADCAST CONSULTING

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January 6, 1997

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Mr. William Caton
Acting Secretary
Federal Communications Commission
1919 M Street N.W.
Washington, DC 20554

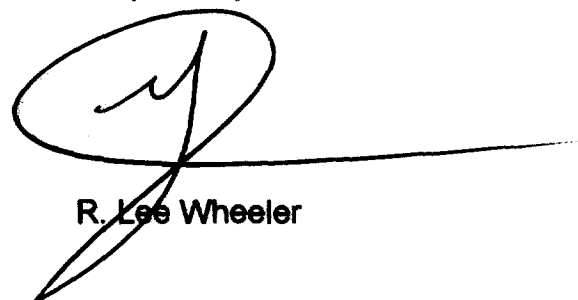
Dear Mr. Caton,

On behalf of myself and my wife, please find an original and four copies of a petition for Rulemaking seeking an amendment of 47 CFR 73.202(b) to allot channel 287A to the city of Garden City, Missouri.

Should there be any questions, please contact either this office at (913) 362-7282 or our residence at (913) 831-1622.

6025 MARTWAY
SUITE 112
MISSION, KS 66202
913.362.7282
913.362.7287

Respectfully submitted,



R. Lee Wheeler

enc.

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BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In re)	
)	
Amendment of Section 73.202(b))	MM Docket 97-_____
of the Commission's Rules,)	RM-_____
Table of Allotments,)	
FM Broadcast Stations)	
(Garden City, Missouri))	

To: The Chief, Mass Media Bureau

PETITION FOR RULEMAKING

R. Lee Wheeler and Sarah H. Wheeler, husband and wife ("Wheeler"), pursuant to Section 1.401 of the Commission's Rules, hereby requests the Commission to institute a rulemaking proceeding looking toward an amendment of Section 73.202(b) of the Commission's Rules, the Table of FM Allotments. Specifically, "Wheeler" seeks the allotment of Channel 287A to Garden City, Missouri as its first local service. In support of this petition, "Wheeler" states as follows:

1. Garden City is an incorporated city with a population of 1225 persons (1990 U.S. Census). Garden City has a Mayor and Board of Alderman form of local government. The city of Garden City further maintains its own Police Force and Fire Department with full time, paid officers and firemen. Garden City has its own Post Office and its own Zip Code (64747). Garden City is a growing community that has experienced a 20% increase in its population between 1980 and 1990. The population of Garden City has nearly doubled since 1970.

(2)

2. As demonstrated by the attached Engineering Report, Channel 287A can be allocated to Garden City as its first service in full compliance with the FM spacing rules by imposing a 0.67 km West site restriction from the Garden City reference coordinates as listed in the National Atlas of the United States of America. No other broadcast operation would be affected by this proposal. City Grade service levels that would be provided from the reference site, as well as the open area in which to locate a suitable transmitter site, are depicted in Exhibit 2 of the Engineering Report.
3. If The Commission amends the FM Table of Allotments as requested herein, "Wheeler" will promptly file an application for construction permit for Channel 287A and, if granted that construction permit, will promptly construct the facilities, place them into operation, and seek a license covering the Garden City facility.
4. A need for FM service in Garden City exists. Allotting channel 287A to Garden City, Missouri would permit Garden City to receive this service. Favorable action on the "Wheeler" proposal would thus be in the public interest.


For the reasons stated above, the public interest will be served by the allotment of Channel 287A to Garden City as its first local service. Accordingly, "Wheeler" respectfully requests the Commission to initiate a rulemaking to amend the FM Table of Allotments as follows:

<u>CITY</u>	<u>Present Allotment</u>	<u>Proposed Allotment</u>
Garden City, MO	---	287A

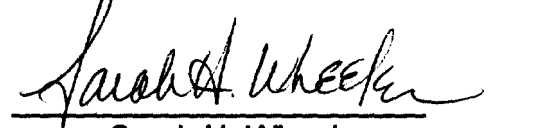
(3)

Under penalty of perjury, R. Lee Wheeler and Sarah H. Wheeler state that all information set forth in this petition is true and accurate to the best of their belief.

Respectfully submitted,
R. Lee and Sarah H. Wheeler

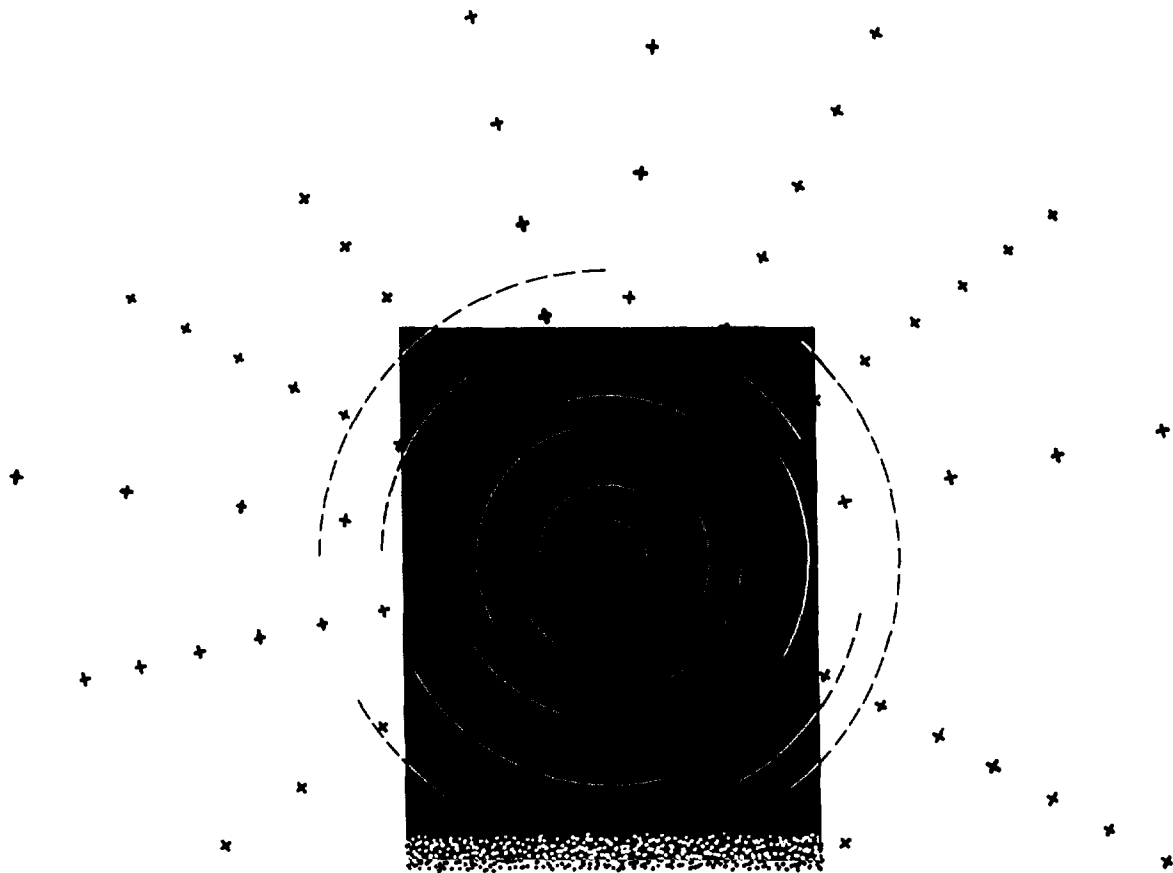


R. Lee Wheeler



Sarah H. Wheeler

R. Lee and Sarah H. Wheeler
3718 W. 52nd Terrace
Shawnee Mission, KS 66205
(913) 831-1622



WHEELER
BROADCAST
CONSULTING

R. Lee and Sarah H Wheeler

Petition for Rulemaking

Petition to:

**Amend 47 CFR 73.202(b)
Allocate a New Commercial FM Broadcast Station
Channel 287 A
Garden City, Missouri**

January - 1997



WHEELER BROADCAST CONSULTING

Engineering Study

Proposed Rulemaking to Allocate Channel 287 A to Garden City, Missouri

This consultant, on behalf of himself and his wife, is preparing an engineering statement in support of a Proposed Rulemaking to amend the FM table of allotments, 47 CFR 73.202 (b), by adding channel 287 A to Garden City, Missouri as its first local service.

A full commercial channel search of the Commission's December 27, 1996 FM database was performed in order to determine the availability of a FM channel for allocation to Garden City, Missouri. The study revealed that Channel 287 A could be allocated to Garden City, with the imposition of a slight 0.67 km, West, site restriction.

The coordinates of Garden City, Missouri are listed in the National Atlas of the United States of America as follows:

38° 33' 39" N. Latitude
94° 11' 18" W. Longitude

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Reference coordinates for the proposed channel 287 A were determined by selecting the point nearest to Garden City while meeting the minimum separation requirements set forth in 47 CFR 73.207. The reference coordinates calculated for the Garden City, channel 287 A, allocation are:

38° 33' 30" N. Latitude
94° 11' 41" W. Longitude

The distance and bearing from Garden City to the Channel 287A reference coordinates is 0.67 km at 243.9° True. Exhibit 1 of this report is a search of the Commission's December 27, 1996 FM database which demonstrates that the site meets all minimum separation requirements from the proposed reference site. Exhibit 2 is a digitally generated map, generated from USGS and NGDC data, which indicates the reference site, the open area in which to locate a suitable transmitter facility, and the predicted 70 dbu contour from the reference coordinates indicating compliance with the principal community coverage requirements of 47 CFR 73.315

Garden City, Missouri

Garden City, Missouri is an incorporated city with a Mayor and City Council form of government. The population of Garden City is 1225 persons according to the 1990 US Census. Garden City is a growing community that has experienced a 20% population growth between 1980 and 1990. Population data further reveals that Garden City has nearly doubled in population between 1970 and 1990. Garden City further maintains a municipal Police Department and a Fire Department which is staffed with professional officers and firefighters. Garden City has its own Post Office and its own, unique, Zip Code (64747).

Conclusion

Garden City, Missouri is a growing community deserving of its first commercial FM service and this proposal provides that service. In light of the above facts, this proposal is clearly in the public interest and it is respectfully requested that 47 CFR 73.202(b) be amended as follows:

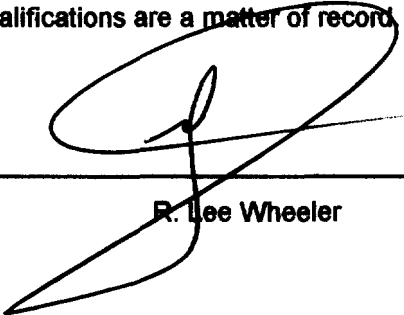
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Garden City, MO	-----	287 A

Certification

All information contained in this report is true and accurate to the best of my belief. Having had numerous matters before the Commission, my qualifications are a matter of record.

1/4/97

Date



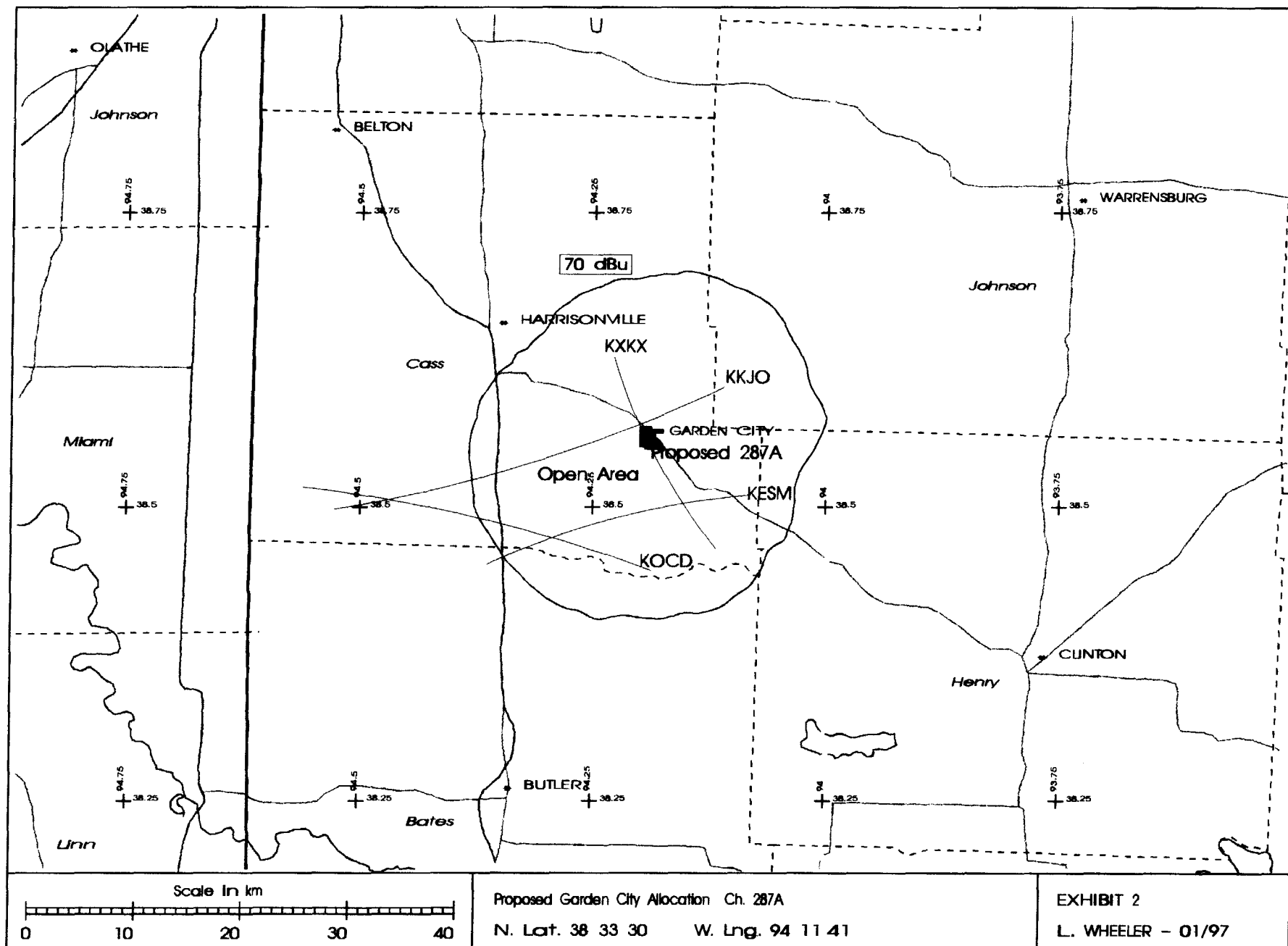
R. Lee Wheeler

WHEELER BROADCAST CONSULTING
6025 Martway - Suite 112 - Mission KS 66202

Proposed Allocation
Garden City, MO

REFERENCE	CLASS A	DISPLAY DATES
38 33 30 N		DATA 12-27-96
94 11 41 W	Current rules spacings	SEARCH 01-03-97
----- CHANNEL 287 -105.3 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KKKX	289C2	Knob Noster	MO	63.9	55.00	55.0	0.00 *
LI CN	38 46 28	93 37 34	38.000 kW	153M	34.2	34.2	
	Bick Broadcasting Company				BLH960814KA		
KKJO	286C1	St. Joseph	MO	338.2	134.49	133.0	1.49 <
LI CN	39 40 51	94 46 47	100.000 kW	177M	83.6	82.7	
	Cardinal Communications, Inc.				BLH820823AL		
KESMFM	288A	El Dorado Springs	MO	168.4	78.64	72.0	6.64
LI CN	37 51 51	94 00 54	6.000 kW	57M	48.9	44.8	
	Wildwood Communications, Inc.				BMLH921014KA		
KOCD	287C3	Columbus	KS	198.6	153.53	142.0	11.53
LI ZCN	37 14 47	94 44 52	6.100 kW	94M	95.4	88.3	
	Saturn Communications, Inc.				BLH930201KC		
KLZR	290C1	Lawrence	KS	291.6	101.95	75.0	26.95
LI CN	38 53 23	95 17 17	8.400 kW	180M	63.4	46.6	
	Lawrence Broadcasters, Inc.				BLH880114KA		
>*** This license is for an AUXILIARY facility of KLZR-FM, Lawrence,							
KZNN	287C1	Rolla	MO	108.7	227.38	200.0	27.38
LI CN	37 52 39	91 44 45	100.000 kW	192M	141.3	124.3	
	KTTR-KZNN, Inc.				BLH861103KB		
KLZR	290C1	Lawrence	KS	296.6	121.39	75.0	46.39
LI CN	39 02 21	95 26 59	100.000 kW	236M	75.4	46.6	
	Lawrence Broadcasters, Inc.				BLH871119KC		
KVCY.C	284C3	Fort Scott	KS	211.6	88.48	42.0	46.48
CP CN	37 52 45	94 43 25	16.000 kW	125M	55.0	26.1	
	Wisconsin Voice of Christian				BPH951106IA 970921		
>One-Step Construction Permit from Channel 284A							

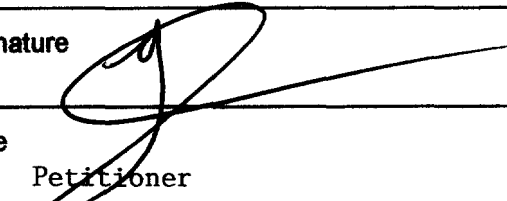


ANTI-DRUG ABUSE ACT CERTIFICATION

By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership, or other unincorporated association), no party to the application is subject to denial of federal benefits that includes FCC benefits pursuant to that section. For definition of "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes

☐ No

Name of Applicant Raymond Lee Wheeler	Signature 
Date January 5, 1997	Title Petitioner

ANTI-DRUG ABUSE ACT CERTIFICATION

By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership, or other unincorporated association), no party to the application is subject to denial of federal benefits that includes FCC benefits pursuant to that section. For definition of "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes

☐ No

Name of Applicant <i>SARAH H. WHEELER</i>	Signature <i>Sarah Wheeler</i>
Date <i>January 5, 1997</i>	Title <i>Petitioner</i>